Message Text

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ANALYST NOTE: REENTRY DUE TO OMISSION LINE 3 PARA 3.

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TO AMEMBASSY MOSCOW

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C O R R E C T E D COPY (LINE 3 PARA 2 OMITTED)

E.O. 11652: N/A

TAGS: CVIS, UR, PFOR, BTRA

SUBJECT: RECIPROCITY: NIV CATEGORIES

REF: A) MOSCOW 15348 B) MOSCOW 17050 C) MOSCOW 17077

1. DEPT CONCURS IN EMBASSY'S BASIC APPROACH IN THIS MATTER AND AUTHORIZES EMBASSY TO ISSUE A-2 VISAS TO ALL USSR MINISTERS AND DEPUTY MINISTERS PROCEEDING TO THE US FOR OFFICIAL OR COMMERCIAL PURPOSES. PER 22 CFR 41.20 NOTE 1.1(C)(1) EMBASSY ALREADY AUTHORIZED TO ISSUE A-1 VISAS TO ALIEN COMING TO US FOR OFFICIAL PURPOSES WHO HOLDS POSITION CORRESPONDING TO THAT OF MEMBER OF US CABINET. DEPT HOWEVER, DOES NOT CONSIDER MINISTERS OF SOVIET REPUBLICS ELIGIBLE FOR "A" VISAS AS THEY ARE NOT OFFICIALS OF FOREIGN GOVERNMENT AS OFFICIALS OF STATE GOVERNMENTS IN US ARE NOT LIMITED OFFICIAL USE

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US GOVERNMENT OFFICIALS. IN INFORMING MFA OF FOREGOING,

EMBASSY SHOULD REMIND MFA THAT, UNDER PROVISIONS 22 CFR 41.20 NOTE 3.2 PRIMARY PURPOSE OF ENTRY IS CONTROLLING FACTOR IN DETERMINING APPROPRIATE US NON-IMMIGRANT CLASSIFICATION. SOVIET GOVERNMENT OFFICIALS, EXCEPT MINISTERS AND DEPUTY MINISTERS, WHO SEEK TO ENTER US PRIMARILY TO ENGAGE IN NON-GOVERNMENTAL INCLUDING COMMERCIAL ACTIVITIES SHOULD CONTINUE TO BE DOCUMENTED WITH B-1 VISAS.

- 2. IN REGARD TO EXCHANGE VISITORS, APPENDIX A 41.20, NOTE 1A PROVIDES THAT A-2 VISAS "MAY BE ISSUED" WHERE ALIENS ARE MEMBERS OF "OFFICIALLY NEGOTIATED EXCHANGES AGREEMENTS". DEPARTMENT RECOMMENDS THAT CONSULAR OFFICER ISSUE A-2 VISAS TO ALL OFFICIAL MEMBERS OF SOVIET DELEGATIONS TO ANNUAL JOINT COMMISSION OR COMMITTEE MEETINGS UNDER US-USSR SPECIALIZED COOPERATIVE AND OTHER BILATERAL AGREEMENTS. THIS IS DESIRABLE SINCE DEPARTMENT REGULARLY REQUESTS CUSTOMS COURTESIES AND IMMIGRATION PROCESSING TO EXPEDITE ENTRY OF SUCH DELEGATIONS AND DESIGNATES THEM AS "OFFICIAL GUESTS" UNDER PUBLIC LAW 92-539.
- 3. WITH REGARD TO IMMUNITIES MENTIONED REF (B), EMBASSY SHOULD BE AWARE THAT ALTHOUGH "A" VISA HOLDER IS ACCORDED CUSTOMS COURTESIES AND DUTY-FREE IMPORT PRIVILEGES, IMMUNITY FROM US CIVIL AND CRIMINAL JURISDICTION AFFORDED ONLY TO DIPLOMATIC AND CONSULAR PERSONNEL DULY ACCREDITED TO USG.
- 4. EMBASSY SHOULD FORWARD VISA CABLES FOR MINISTERS OR DEPUTY MINISTERS, AND FOR SOVDELS TO ANNUAL JOINT COMMITTEE MEETINGS, TO DEPARTMENT USING COMVIS OR SPLEX DESIGNATION AS APPLICABLE. THIS IS ESSENTIAL TO FACILITATE VISA HANDLING WITHIN DEPARTMENT. INGERSOLL

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